

# **MINUTES**

## **311th Meeting Contractors' Registration and Licensing Board September 9, 2015**

**1. The meeting began with the pledge of allegiance to the flag of the United States of**

**America led by: Edgar Ladouceur acting Chairman.**

**2. The meeting was called to order by the acting Chairman, Edgar Ladouceur, at 12:45**

**PM after obtaining a quorum.**

**3. Approval of the agenda and order of business was accepted on a motion by Mr. Tom**

**Furey and seconded by Mr. Eric Wishart.**

**4. The minutes of the 310th meeting, August 12, 2015, were approved on a motion by**

**Mr. Tom Furey and seconded by Mr. Paul Brunetti.**

**Introduction of Carole Cornelison, the New Director of the Division of Capital**

**Asset Management & Maintenance. She provide a brief introduction and discussion on her role and operation working with the Board and staff. Additionally; the introduction of the newly appointed members:**

**Carol O'Donnell contractor member, Annette Stockley contractor member, Kimberly Wooten home inspector member, Carol Ann Nelson, architect member and Alfred Decorte building official meeting.**

**5. Review of pending issues with Code Officials from Rhode Island Building**

**Officials Association; No pending issues; Building Officials were not in attendance**

**with the exception of Al Decorte the newly appointed Board member.**

**Board was informed that the Association would no longer be selling permit forms**

**and they are getting ready for subcommittee meetings on the new code adoption**

**scheduled for next year.**

**6. Court Case Update: Mariana Ormonde, Special Assistant Attorney General gave**

**an overview of the progress of the case regarding MTY Paving and the Boards staff**

**in conjunction with the Attorney General's Office is working on resolving the 13**

**cases filed with the Board. Additionally; a new format is being worked on for court**

**cases and should be able to report on cases next month.**

**7. Consideration of Motions: None this month.**

**8. Consideration of Cases on Appeal and Oral Argument:**

**1.) 12:40 PM Claim #8499: Exceptions filed by the Respondent, Steven Alves, Stevens Home Improvement, Registration #13863 in regard to Shawn Malosh vs. Stevens Home Improvement. The RESPONDENT, Stephen Alves, filed exceptions to the Proposed Order issued by the hearing officer in a timely fashion and the full Board heard the exceptions filed at the scheduled Board Meeting, September 09, 2015 at 12:40 PM. Notice and opportunity to attend the appeal was sent to the parties and both parties were in attendance. The RESPONDENT, who filed the exceptions, proceeded to present his case after both parties were sworn in by the executive director for the Board. The acting chair asked the contractor why he filed the exceptions and his response was to extend the time he had to complete the work. The contractor proceeded on explaining what happen in regard to this case and the homeowners were provided time to explain their side to the Board. Many of the Board members asked questions of the parties and the Board elected to modify the decision of the hearing officer due to the fact that work was not completed and the doors were not ordered and vote on the decision in three ways. The first being the money owed, the second being the fine and the third being the action on registration. It was determined by the Board that funds provided to the Board by the Claimant and being held by the Board in the form of certified check or money order**

made payable to the RESPONDENT be returned to the Claimants. (This check was to remain in the possession of the Board until all work had been inspected and approved; which never was finished.) The shutters and hardware was also ordered to be returned to the claimant and the RESPONDENT agreed to do so within seven days. A motion was made by Tom Furey and seconded by Paul Brunetti. Motion was called and it was unanimously approved. The issue of the fines assessed in the amount of \$2,500.00 was brought forth and a motion was made by Eric Wishart and seconded by Dave Caldwell to uphold that portion of the decision. Motion was called and passed unanimously. The final decision by the Board was to act on contractor's registration. A motion was made by Paul Brunetti and seconded by Carol O'Donnell and Kimberly Wooten to SUSPEND the contractor's registration #13863 for a period of one year effective as of the date of the appeal. Motion was called and passed unanimously.

**9. Consideration of Request for Expungement: None**

**10. Education: Review all applications received and courses submitted for approval.**

**No applications received.**

**11. Report of the Executive Director and Staff:**

**(1) Statistics Report: 09/09/2015**

## Registrations:

Number of Registered Contractors	11734	
Number of Cards Surrendered	6992	
Number of Cards Expired/Lapsed	18119	Number of Cards
Invalidated	1716	
Number of Cards Suspended	510	
Number of Cards Revoked	124	

### Registration Actions

Number of New Registered Contractors	58
Number of Renewed Contractors	11676
Number of Cards Surrendered	24
Registrations Invalidated	1
Registrations Suspended	4
Registrations Revoked	1

## Claims:

Administrative Appeals	2	
Board Appeals	1	
Address Traces		80
	Court	
	606	
Awaiting Further Action		29

Disposed		266	
Final Orders	48		
Hearings	35		
Out of State Services	10	Proposed Orders	142
Under Investigation			125
Total Claims Filed with the Board		8159	
Number of New Claims Processed		27	
Total Disposed Claims to date			7019

#### **Violations:**

Action Against Registration	53		
Advertising	4		
Cancelled Insurance			1343
Notice of Hearing	3		
Non-Registered Contractor			
929			
<b>TOTAL RECORDS</b>	<b>2358</b>		

**Number of New Violations      61**

#### **Lapsed Registrations/Never Re-Newed:**

**January                      2015**  
**45**

February	2015
62	
March	2015
74	
April	2015
91	
May	2015
69	
June	2015
84	
July	2015
78	
August	2015
97	

Month	# Tickets Issued
Fines	

January 2015	3
\$1,250.00	
February 2015	1
\$ 500.00	
March 2015	1
\$ 250.00	
April 2015	3
\$2,250.00	

May	1
\$ 250.00	
June	3
\$ 750.00	
July	6
\$3,000.00	
August	1
\$ 250.00	

### **Commercial Roofers:**

#### **Number of Registered Roofers**

**148**

**Number of New Registered Contractors 1**

**Number of Renewed Roofer Contractors 147**

**Number of Cards Surrendered 22**

**Number of Expired/Lapsed 77 Registrations Invalidated 1**

**Registrations Suspended 0**

**Registrations Revoked 0**

### **12. Old Business:**

**(1.) Regulations, laws and standards were the topic of discussion and were reviewed by the Board. Upon review it was determined that we would continue to go forward with subcommittee meetings on Home Inspectors and Commercial Roofers; Well Drillers and Pump**



**Installers will follow. Several meetings have already been conducted and a few more will be required before we can go through the process of Regulatory Reform Review.**

**(2.) Underground Utility Regulations are now in effect, September 3, 2015 and the Emergency Regulations are no longer in effect.**

**13. New Business:**

**(A) Nomination for Chair; The Executive Director opened the floor for nominations and the name of Edgar Ladouceur was put forth by Paul Brunetti, Eric Wishart and David Caldwell. No other nominations were forthcoming and the name of Edgar Ladouceur was put forth to the Board for a vote.**

**(B) Election of Chair; The Executive Director placed the name of Edgar Ladouceur up for a vote and he was unanimously elected by the Board to serve the Board as the new Chairman.**

**(C) Nomination for Vice Chair; The Executive Director opened the floor for nominations for the office of Vice-Chairman and Paul Brunetti, Dave Caldwell, Eric Wishart and Carol O' Donnell put the name of Tom Furey. No other nominations were forthcoming and the name of Tom Furey was put forth to the Board for a vote.**

**(D) Election of Vice Chair; The Executive Director placed the name of Tom Furey before the Board and he was unanimously elected to serve the Board as Vice-Chairman.**

**a. Budget:** Will be reviewing new proposed budget as to need to increase registration

fees for fiscal year 2017. More discussion will be had regarding this early next

legislative session.

**b. Computer Program Update:** We are currently testing the system and still finding bugs that need to be worked out. Hope with the latest updates we will complete this process for late fall launch.

**c. Positions:** Still waiting on the position of enforcement aide or another similar

position which may cause delays to the new licensing programs. This position has

been vacant since March 2013. The Principal Building Official Position is also

vacant, since December 2014 which needs to be filled. Also a counter clerk has

been out on extended medical leave, reducing our staff by 25%.

**d. PSI:** The date to get licensing programs up and running testing the underground

utilities and hoping to have all the other licensing programs ready by years end.

First person who took the exam did not pass it.

**e. Legislation:** Legislation for next year is being reviewed and Board will be submitting the same legislation submitted last year as well as some additional items that need to be addressed found in reviewing the rules and regulations. Roofers would like to modify the number of hours of continuing education from 20 to 10 for two year period.

**f. Board Appointments:** Reappointments and new appointments were made by the Governor. Board Training will be conducted next month Also it should be noted that the meeting schedule provided for 2016 had a typo for the March meeting which should be the 9th.

**g. Education Sub-Committee:** Board established a new subcommittee on education of three members because of the change in the makeup of the Board. The new members selected to serve on that committee are Paul Brunetti, Carol O'Donnell, and Tom Furey.

**h. Letter to ACLU** was presented to the Board and addressed the issues brought forth regarding underground utility rules and regulations.

**i. Retention Schedule** was discussed but tabled.

**14. Public Comment:** None

**15. Announcements:**

**The next Board meeting will be held on Wednesday, October 14, 2015 at 12:30**

**PM, Conference Room “A” 2nd Floor; One Capitol Hill, Providence, Rhode Island.**

**Introduction to the staff and Board Training as to responsibilities and duties will take place.**

**16. Adjournment: A motion was made by Eric Wishart and seconded by Mr.**

**Dave Caldwell to adjourn the meeting at 2:35 PM.**

**Members Present: Edgar Ladouceur, David Caldwell, Paul Brunetti, Tom Furey,**

**William Geddes, Martin Ezeama, Michael Fox, Eric Wishart, Ron Caniglia,**

**Kimberly Wooten, Annette Stockley, Carol O'Donnell and Alfred Decorte.**

**Members Absent: J.L.Brillon, Mathew Olson, Tony Raposo and Carol Ann Nelson.**

**Others Present:        George Whalen (Executive Director),  
Attorney Mariana  
Ormonde, stenographer, parties for  
appeal, Director Carole  
Cornelison and staff.**

**Respectfully Submitted,**

**George W. Whalen  
Executive Director Rhode Island Contractors' Registration and  
Licensing Board**